IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2767 OF 2006
AND
CIVIL APPLICATION NO.1238 OF 2006
IN
FIRST APPEAL NO.411 OF 2006

Ms. Shilpa Deoram Jagtap & Ors. ... Applicants

Vs.

Maharashtra State Road Transport Corporation. ... Respondent

Mr. U.S.Pandey for the applicants.

Mr. C.M. Lokesh for the respondent.

CORAM : SMT. RANJANA DESAI & D.B. BHOSALE, JJ.

DATED : 26TH JULY, 2006.

P.C.:-

1. Heard the learned counsel for the parties.

2. As directed by us by our order dated 3/3/2006 in Civil Application No.1238 of 2006, the respondent has deposited the entire decretal amount in the Tribunal. The learned counsel for the applicants is praying that the applicants may be allowed to withdraw the deposited amount. The Tribunal has passed an order directing that s sum of Rs.6 lacs be invested in any of

the nationalized banks in fixed deposit for a period of three years in the names of applicants 1, 2, 3 and 4 in the manner set out in paragraphs 3(a), (b) and (c) of the operative part of the impugned order. We are not inclined to disturb that order. The Tribunal is directed to invest the amount as indicated by it in paragraphs 3(a), (b) and (c) of the operative part of the impugned order. Out of the remaining amount, applicants 2 and 5 are permitted to withdraw a sum of Rs.1 lac each. The amount should be directly paid to applicants 2 and 5 by demand drafts drawn in their names. The Tribunal is directed to invest the rest of the amount in any of the nationalized banks on usual terms.

3. In view of this order, Civil Application No.1238 of 2006 stands allowed in terms of prayer clause (a) thereof, which reads thus:

> "(a) That pending admission and disposal of the above appeal, against the Judgement and Award dated 24/11/2005 passed by Motor Accident Claims Tribunal Thane in MAC No.960 of 2001 be stayed."

4. Civil Application No.2767 of 2006 and Civil Application No.1238 of 2006 stand disposed of in the above terms.

[SMT. RANJANA DESAI, J.]

[D.B. BHOSALE, J.]